

**MINUTES OF THE REGULAR MEETING  
OF THE PLANNING BOARD  
HELD IN THE TRUSTEES' ROOM, VILLAGE HALL  
ON WEDNESDAY, MARCH 1, 1995**

**Members**

**Present:** Robert Buford  
William Bush, Secretary  
Peter Lilienfield

**Members**

**Absent:** Patrick J. Gilmartin  
Joseph Elliot

**Also Present:**

Kevin J. Plunkett, Village Counsel  
Ralph Mastromonaco & Bruce Donohue, Consultants  
to the Planning Board  
Brenda Livingston, Ad Hoc Planning Board Member  
Eugene Hughey, Building Inspector  
Florence Costello, Recording Secretary  
Anthony J. Guarisco, A.M. Reporting Service,  
for Westwood Development Associates  
Applicants and other persons mentioned in  
these Minutes  
Members of the Public.

**IPB Matters**

**Considered:** 94-03 - Westwood Development Associates, Inc.  
Sht. 10,11, Lot 25, 25KP25J2  
94-14 - Holy Spirit Association for the Unification  
of World Christianity  
Sht. 10, P-3  
94-15 - James Dinan  
Sht. 10, P-76  
95-01 - Stephanie Scott  
Sht. 1, P-3, P-5A2  
95-03 - Julie Batz/Adam Stern  
Sht. 6, Bl. 215, Lot 17  
95-04 - SAB Corporation  
Sht. 7B, Bl. 249, Lot 6, 6A2

Mr. Robert Buford, Acting Chairman, called the meeting to order at  
8:00 P.M.

**IPB Matter #95-03:**  
**Adam Stern for**

**Development**

**Grinnell Street.**

**Application of Julie Batz &  
Waiver of Requirements for Site  
Plan Approval for property at 11**

Ms. Christina Griffin, Architect, and Julie Batz and Adam Stern appeared personally for the application. Applicant paid the required application fee and furnished evidence of mailing of required Notice to Affected Property Owners. The proposed development consists of the construction of a one-story wood frame mud room/laundry area and powder room addition at the rear of the house which will measure 80 square feet (760 cubic feet). The proposed addition will increase the footprint of the house by 9.2 square feet. The Chairman noted that Zoning Board of Appeals approval was required with respect to the proposed construction due to the fact that it increased a non-conforming use.

The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval. There were no comments from the public. The Board then determined this application to be a Type II Action under SEQRA and therefore the filing of an Environmental Assessment Form was not necessary.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

**WHEREAS**, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed addition meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist to make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, (2) that in these circumstances to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the

Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE,** the Planning Board hereby waives all requirements for Site Development Plan Approval for this Application subject to approval by the Zoning Board of Appeals of any variance required in connection with this Application.

**IPB Matter #95-01:**  
**Scott for Subdivision**

**Application of Stephanie**  
**Plat Approval for property at**  
**West Sunnyside**  
**Lane.**

Mrs. Stephanie Scott appeared personally for this Application. Applicant paid a fee of \$1,000.00 (fee for 2-lot subdivision - \$500. per lot) and submitted evidence of mailing and publication of the required Notice to Affected Property Owners.

The Chairman referred to Mr. Mastromonaco's memorandum dated March 1, 1995 commenting on the application. He pointed out the need to show water and sewer service for each lot on the plans and the requirement that access for Lot A be from an improved street. The Chairman recommended Mrs. Scott contact the surveyor and consider retaining counsel to assist her in complying with the legal requirements for subdivision approval.

**IPB Matter #94-15:**  
**for Preliminary**  
**Approval of property at**

**Application of James Dinan**  
**Subdivision**  
**10 North Broadway**

James D'Ambrosio, Esq., appeared on behalf of the Applicant. The Applicant furnished evidence of mailing of required Notice to Affected Property Owners and Publication.

The Chairman referred to Mr. Mastromonaco's memorandum dated March 1, 1995 concerning the Application and requested that a copy of the memorandum be given to the Applicant. The Village Attorney indicated that easements required in connection with the subdivision

were being reviewed by the Archdiocese. The Board discussed the determination of site capacity. After discussion, upon motion duly made and adopted the Board confirmed that the property had a site capacity of at least two and that the Application was complete. A public meeting with respect to the Application would be set for the Board's meeting on April 5, 1995, at which time the Board anticipated it would be in a position to grant preliminary conditional approval.

**IPB MATTER #95-04:**  
**for Site**

**Application of SAB Corporation**  
**Development Plan Approval for**  
**property**  
**at 60 West Clinton Avenue.**

Mr. Andrew Saines, President, SAB Corporation, Mr. Anthony Acacella, Landscape Architect and Mr. Mark Mustacato, Architect, appeared for the application. Applicant paid a \$250.00 application fee and submitted evidence of mailing of the required Notice to Affected Property Owners. The proposed development consists of the construction of a single family residence, consisting of approximately 4,500 square feet, on Lot #2 of the property for which subdivision approval and limited site development plan approval was granted in IPB Matter #93-04.

The Applicant presented a new tree survey for the property which indicated that a significant number of trees would be removed in connection with the project. The Chairman indicated that in view of the plan to remove the trees it would be important for the Applicant to show the proposed landscaping for the project on the plans especially with regard to screening from adjacent properties. The Board also suggested that a site visit might be helpful. A neighbor, Barbara Denyer, appeared and commented on the application. She asked questions concerning the removal of a weeping beech tree on Lot #3 and questions concerning the proposed location of the house on Lot #2. The Applicant responded to each of her questions.

The Chairman asked Mr. Mastromonaco to supply the Applicant with a copy of his memorandum commenting on the Application. After further discussion, the Board

determined to set a public hearing on the Application for its meeting to be held April 5, 1995.

**IPB MATTER #94-14:**                    **Application of Holy Spirit**  
**Association for the**                    **Unification of World Christianity**  
**for East**                                **Garden Subdivision Approval.**

The Applicant was represented by Norman Sheer, Esq., Michael R. Sterlacci, P.E., and Michael Ingles of the Holy Spirit Association. The Applicant submitted drawings entitled: East Garden Estates, Preliminary Layout, Sheet 3, revised 2/23/95, prepared by Michael R. Sterlacci, P.E.

The Chairman asked that a copy of Mr. Mastromonaco's memorandum dated March 1, 1995 commenting on the Application be delivered to the Applicant.

Mr. Sheer explained the steps taken by the Applicant to comply with the Board's comments from its prior meeting. The Chairman noted that the plans presented by the Applicant were confusing and requested the Applicant to submit separate drawings prior to the Board's next meeting to make the easements, tree survey and removal and other specifics included in the plans more clear. The Applicant agreed to revise the plans. The Board also requested the Applicant to arrange another site visit.

Mr. Sheer also indicated that the Applicant would comply with each of Mr. Mastromonaco's comments but requested the Board to set the public hearing on the Application for its April meeting. The Board agreed to Mr. Sheer's request regarding the public hearing subject to Mr. Sheer's representation that the Applicant would agree to an adjournment of the public hearing if all open matters were not resolved to the Board's satisfaction.

**IPB MATTER #94-03:**                    **Application of Westwood**  
**Development**                            **Associates, Inc., for Limited**  
**Site Plan**                                **Approval for property at**  
**Broadway, Riverview**

**Road and Mountain Road.**

A complete transcript of the proceedings relating to this matter was prepared and is incorporated herein by reference.

The next regular meeting of the Planning Board was scheduled for Wednesday, April 5, 1995.

There being no further business the meeting was adjourned.

Respectfully submitted,

\_\_\_\_\_  
William Bush, Secretary